

Notice of Allowability

Application No.

09/747,716

Examiner

Kuo-Liang Peng

Applicant(s)

RAMESH ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/15/06 Amendment.
2. ☒ The allowed claim(s) is/are 13-18, 25-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

ETAILED ACTION

1. Applicants' amendment filed December 15, 2006 is acknowledged. Claims 1-13, 19-24 and 27-29 are deleted. Claim 13 is amended. Now, Claims 13-18 and 25-26 are pending.
2. Claim rejection(s) under 35 USC 112 in the previous Office Action (Paper No. 080506) is/are removed.
3. The following Examiner' Amendment is made because of a typographical error in the claims. Specifically, "Claims 27-31 (Canceled)" should read "Claims 27-29 (Canceled)" because Claims 30 and 31 are not present.

Examiner's Amendment

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
5. The application has been amended as follows:

At the end of the claims, replace "Claims 27-31 (Canceled)" with -- Claims 27-29 (Canceled) --.

Allowable Subject Matter

6. Claims 13-18 and 25-26 are allowed.

7. The following is an examiner's statement of reasons for allowance:

The present claims are allowable for at least the following reason(s) over the closest references: Ryntz (US 4 766 185), Taniyama (US 4 241 116), Baney (GB 2 047 721) and Sakurai (DE 2 436 191).

Ryntz discloses a compound obtained by reacting a hydroxy functional polysiloxane graft copolymer (col. 1, lines 65-68) with an amino resin (col. 11, line 6) such as an aminoplast (e.g., a melamine-formaldehyde resin)(col. 2, line 62 and col. 12, lines 42-43). The hydroxy functional polysiloxane graft copolymer can be prepared as follows: A hydroxy functional polysiloxane is prepared by the method described in col. 9, line 24-43, which can have a hydroxyl number between about 30 and about 300, more preferably between about 50 and about 150 (col. 6, lines 19-36). The hydroxy functional polysiloxane is reacted with an **isocyanato monomer having olefinically unsaturation** (col. 2, lines 17-30) to form a

polysiloxane macromonomer having both hydroxyl groups and olefinic unsaturation (col. 2, lines 7-10), which can be further grafted with a monomer to afford the hydroxy group containing polysiloxane graft copolymer (col. 1, lines 65-67 and col. 2, lines 10-16). The monomer for the graft polymerization can be an (meth)acrylate containing a hydroxy group (col. 4, lines 30-46) because the hydroxy group is also reactive toward the amino resin). As such, the hydroxy group containing polysiloxane contains hydroxy groups on both the polysiloxane backbone and the poly(meth)acrylate grafts.

Taniyama discloses a reaction product of A) an aminoalkylalkoxysilane, B) an alkyl-modified methylol melamine and an **acrylic acid** derivative wherein R^{11} can be a **hydroxyalkyl** group (col. 2, lines 1-59, col. 3, line 33 to col. 4, line 43).

Baney discloses a reaction product of a mixture comprising a melamine-formaldehyde resin and a **trialkoxysilane containing** mercaptopropyl group, **methacryloxypropyl group**, etc. (page 1, lines 41-65, page 3, lines 35-59, Claim 1 and Examples).

Sakurai discloses a reaction product of a hydrolysed product of at least one organotri-alkoxysilane, e.g., alkyl-, **alkenyl-** and/or phenyl **trialkoxysilane**, having formula: $R^1Si(OR^2)_3$ (where R^1 is 1-4C alkyl or alkenyl or Ph and R^2 is 1-5C alkyl), an aminoplast which is preferably an etherified methylol melamine, a

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silicate ester having formula: $\text{Si}(\text{OR}^2)_4$, and polyvinyl butyral (page 3, 4th paragraph to page 4, 2nd paragraph, page 5, paragraphs 4-5, page 8, paragraphs 2-4, page 9, paragraphs 1 to page 10, 1st paragraph and Examples).

However, none of the above references teaches or fairly suggests the olefinic groups derived from the **specific olefinically unsaturated compounds** set forth in the instant claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski, can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp
February 26, 2007


Kuo-Liang Peng
Primary Examiner
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